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C O N F I D E N T I A L SECTION 01 OF 02 MEXICO 002676

SENSITIVE
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NSC FOR SENIOR DIRECTOR RESTREPO; DEPT FOR WHA DAS JACOBSON
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E.O. 12958: DECL: 09/08/2019
TAGS: [PREL](#) [MARR](#) [MASS](#) [PHUM](#) [PGOV](#) [PINR](#) [MX](#)
SUBJECT: MEXICO: PROMISING FIRST TALKS WITH SEDENA ON HUMAN
RIGHTS

Classified By: Political Minister Counselor Gustavo Delgado.
Reason: 1.4 (b),(d)

1. (c) Summary: DATT, ODC Chief, DOJ Attache and Pol MinCouns met with officials from the National Defense Secretariat (SEDENA) on September 7 to discuss initiating a human rights dialogue with the Mexican military that would allow us to understand the legal process in the Mexican system of military justice and clarify specific questions with regards to alleged violations. General Lopez Portillo, the Senior Human Rights official in SEDENA and a veteran military prosecutor, was the lead official on the Mexican side, accompanied by a Director General level representative from the Mexican Foreign Ministry (SRE). They welcomed the beginning of a dialogue with the Embassy on human rights matters and proposed regular senior formal meetings (he suggested 2-3 a year) as well as working level discussions to clarify specific cases. (A list of all participants is provided in para 7).

Willing to Talk but a Dialogue Will Take Work

2. (c) Although we previously had provided a list of specific questions on several cases involving alleged human rights violations through official SEDENA and SRE channels, and our meeting had been coordinated a month in advance through the SEDENA Protocol office (S2), Lopez Portillo did not receive our questions before the meeting. This was not an indication of SEDENA's unwillingness to discuss the cases, but rather reflects a lack of experience in engaging on the human rights topic and their somewhat rigid rules for transmitting information to and within the SEDENA bureaucracy.

3. (c) Unaware of the questions we had provided on allegations related to the specific cases, General Lopez Portillo organized a general and open agenda for the meeting, aimed at facilitating an open and frank discussion on internal legal and judicial procedures within the Mexican military. Throughout the meeting, our Mexican interlocutors were well-disposed to answering our questions and establishing a collaborative dialogue. We noted our interest in reviewing the details of some specific cases as part of an ongoing dialogue on human rights issues that would allow us to understand better how SEDENA and the Mexican legal system handled crimes involving military personnel and civilians. We provided a copy of the questions we had provided prior to the

meeting and suggested a follow-up meeting to go over the cases in more detail.

SEDENA AND SRE SUGGEST A WAY FORWARD

¶4. (c) SRE Director General for Human Rights and Democracy Alejandro Negrin agreed with Lopez Portillo that we should establish a formal and regular dialogue to discuss both the specific cases and larger framework of how the Mexican judicial system works in response to crimes involving military personnel and civilians. He noted relevant legal reforms and the ongoing effort by SEDENA to clarify its procedures and respond to responsible questions. Lopez Portillo noted SEDENA's interest in continuing to do more in this regard and was supportive of establishing a bi-lateral mechanism that would allow us to work together to help clarify allegations. He suggested formal senior level meetings several times a year, with working level meetings in between.

¶5. (c) Lopez Portillo promised a timely written response to the written questions we had provided earlier. He also undertook to set up meetings to review military legal procedure, particularly with regard to crimes involving military and civilians. He suggested that we work closely and collaboratively to clarify procedures and outstanding allegations, many of which he observed, were designed to cast doubt and dispersion on the Mexican military and not to establish the truth. Both sides agreed that new questions

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about additional cases in the future should be provided through SRE channels with a courtesy copy given to SEDENA. The official response to specific cases would be delivered from SEDENA through the SRE. Lopez Portillo said that he was eager to work together with us to ensure that there would be a satisfactory response on all human rights allegations.

COMMENT

¶6. (c) Establishing a productive human rights dialogue with the Mexican military will take some work and considerable fine tuning. This is not an area that the Mexican military has traditionally discussed with any outsiders. While the Mexican military has made some progress in establishing mechanisms to review human rights allegations in response to internal constitutional reforms and Mexico's international obligations, it is still a delicate subject and one they are likely to manage cautiously and not always adroitly. We are encouraged by our initial meeting but much remains to be done. We will follow up promptly with SEDENA and SRE to set up our next meeting. Lopez Portillo provided repeated assurances that SEDENA is prepared to respond in writing -- supplemented by working level discussion to clarify any questions of procedure and translation -- to our questions on specific cases. We will also expand current training and subject matter expert exchanges that could help provide SEDENA with support in their efforts to address human rights issues in a more comprehensive and transparent way.

PARTICIPANTS

¶7. (c) The Mexican side was led by MG Jaime Lopez Portillo and included Col. J.J. Juarez, Section 5 DH, Ltc Marcas Burgos Legorretta, Section 5 DH, Major C.S. Lopez, and Ltc A. Santos, S-2 as well as Alejandro Negrin, the Director General of Human Rights and Democracy in the SRE. The U.S. side included Defense Attache Col. Dan Alabre; ODC Chief Col. Linwood Ham, Department of Justice Attache Tony Garcia and Political Minister Counselor Gustavo Delgado.

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